

Veterinary Medicine

July 2, 2003

A meeting of the Georgia State Board of Veterinary Medicine was held on Wednesday, July 2, 2003, at the Professional Licensing Boards Office in Macon, Georgia.

The following Board members were present:

Eugene T. Maddox, DVM, President
Hugh Hill, DVM
Jim Brett, DVM
Needham Bateman, DVM

Others Present:

Anita O. Martin, Executive Director
Susan S. Hewett, Board Secretary
Dominick Crea, Board Attorney
Don Munday, Deputy Division Director

President Maddox established that a quorum was present and the meeting that was scheduled to begin at 9:30 a.m. was **called to order** at 9:32 a.m.

Nomination of Officers: Dr. Jim Brett nominated **Dr. Eugene Maddox** to serve as **Board President**. The nomination was seconded by Dr. Hugh Hill and was **approved** by the Board.

Dr. Needham Bateman nominated **Dr. Jim Brett** to serve as **Vice President** of the Board. The nomination was seconded by Dr. Hugh Hill and was **approved** by the Board.

Dr. Hugh Hill agreed to serve as **Continuing Education Program** approval contact for the Board.

A motion was made by Dr. Brett to approve the **minutes** from the April 2, 2003 meeting. The motion was seconded by Dr. Bateman and was **approved** by the Board.

Board Policies: The Board reviewed existing Policy Manual. A motion was made by Dr. Brett to **approve** the existing policy manual (Attachment #1). The motion was seconded by Dr. Bateman and was **approved** by the Board.

The Board reviewed a list of new licensee candidates receiving licenses between March 13, 2003 and May 23, 2003. A motion was made by Dr. Brett to **ratify** the following new licensee candidates:

- ? Veterinary candidate license #VET006840 through #VET006928 (See attachment 2)
- ? Veterinary Faculty candidate license #VETF000401 through VETF000401 (See attachment 3)
- ? Veterinary Technician candidate license #VETT000397 through #VETT000398 (See attachment 4)

The motion was seconded by Dr. Bateman and was **approved** by the Board.

Jeffrey Witwer, DVM: The Board reviewed a letter from Dr. Witwer requesting a copy of his application submitted for licensure. The Board requested that a copy of Dr. Witwer's application be sent to him.

Thomas C. Payne, DVM: The Board reviewed a letter from Dr. Payne requesting alternative methods of obtaining continuing education credits. A motion was made by Dr. Brett to require Dr. Payne to obtain continuing education credits as required by Board Rule 700-7-.03. The motion was seconded by Dr. Hill and was **approved** by the Board.

E. C. Stewart: The Board reviewed an e-mail from E. C. Stewart requesting information regarding registered sonographers being able to scan animals. The Board requested that a response be sent that the Board does not issue legal advice or opinions, or offer legal interpretations of the Georgia Laws and Rules. Also refer to the Veterinary Medicine Practice Act.

Raymond Jewell: The Board reviewed an e-mail from Mr. Jewell regarding guidelines for rabies vaccine and heartworm testing. The Board requested that a response be sent that the Board does not issue legal advice or opinions, or offer legal interpretations of the Georgia Laws and Rules. Also refer to the Veterinary Medicine Practice Act and O.C.G.A. §31-19-5, Inoculation of Canines and Felines Against Rabies.

Compliance Reports: The Board reviewed compliance reports on Don Howard, DVM, Emmett Ashley, DVM, and Darryl Mickle, DVM as **informational only**.

Rule 700-12 Minimum Standards: A motion was made by Dr Brett to **post** Rule 700-12 Minimum Standards. The motion was seconded by Dr. Hill and was **approved** by the Board. (See Attachment #5)

The Board voted that the formulation and adoption of these rules does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-1-25, 43-50-21(a)(7), and 43-50-27(a)(6).

The board also voted that it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-1-25, 43-50-21(a)(7), and 43-50-27(a)(6) to adopt or implement differing actions for businesses as listed in O.C.G.A. §50-13-4(3)(A)(B)(C)(D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed, owned and operated in the field of Veterinary Medicine.

Rule 700-13 Mobile Clinic Minimum Standards: A motion was made by Dr. Brett to post Rule 700-13 Mobile Clinic Minimum Standards as amended adding requirements for emergency coverage for mobile clinics to mimic those standards from proposed board rule 700-12. The motion was seconded by Dr. Hill and was **approved** by the Board. (See Attachment #6)

The Board voted that the formulation and adoption of these rules does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-1-25, 43-50-21(a)(7), and 43-50-27(a)(6).

The board also voted that it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-1-25, 43-50-21(a)(7), and 43-50-27(a)(6) to adopt or implement differing actions for businesses as listed in O.C.G.A. §50-13-4(3)(A)(B)(C)(D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed, owned and operated in the field of Veterinary Medicine.

Rule 700-8-.01 Unprofessional Conduct: The Board reviewed Rule 700-8-.01 and proposed changing section (d)(2) regarding the veterinarian/client/patient relationship from the veterinarian having recently seen the animal to read that **the veterinarian has seen the animal within the last 18 months**. A motion was made by Dr. Jim Brett to **post** the amended rule. The motion was seconded by Dr. Needham Bateman and was **approved** by the Board. (Attachment #7)

The Board voted that the formulation and adoption of these rules does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-1-25, 43-50-21(a)(7), and 43-50-27(a)(6).

The board also voted that it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-1-25, 43-50-21(a)(7), and 43-50-27(a)(6) to adopt or implement differing actions for businesses as listed in O.C.G.A. §50-13-4(3)(A)(B)(C)(D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed, owned and operated in the field of Veterinary Medicine.

Dr. Brett made a motion to enter into **Executive Session** in accordance with O.C.G.A. §§ 43-1-2(k) and 43-1-19(h)(2) to deliberate on applications and enforcement matters and to receive information on applications and investigative reports. The motion was seconded by Dr. Hill and voting in favor of the motion were those present who included Dr. Maddox and Dr. Bateman. The Board concluded **Executive Session** in order to vote on these matters and to continue with the public session.

Appointment with E.A.J., DVM: The Board met with E.A.J., DVM regarding the denial of application for licensure. A **recommendation** was made by Dr. Brett to **approve** the application for licensure.

Appointment with R.W.M., DVM: The Board met with R.W.M., DVM regarding the denial of application for reinstatement of license. A recommendation was made by Dr. Brett to **approve** the reinstatement application.

D.S.H., DVM: The Board reviewed an application for licensure submitted by D.S.H., DVM. A **recommendation** was made by Dr. Maddox to **approve** the application for licensure.

J.L.S.H.D.: The Board reviewed an application for licensure submitted by J.L.S.H.D. A **recommendation** was made by Dr. Maddox to **approve** the application for licensure.

M.J.M.: The Board reviewed an application for licensure submitted by J.M.M. A **recommendation** was made by Dr. Maddox to **approve** the application for licensure.

J.E.G.: The Board reviewed an application for licensure submitted by J.E.G. A **recommendation** was made by Dr. Maddox to **approve** the application for licensure.

A.L.B., DVM: The Board reviewed an application for reinstatement of license submitted by A.L.B., DVM. A **recommendation** was made by Dr. Brett to **approve** the reinstatement of license.

Compliance Reports: The Board reviewed compliance reports on M.F. as **informational only**.

OTHER BUSINESS:

R.E.B., DVM: The Board reviewed an application for reinstatement of license submitted by R.E.B., DVM. A **recommendation** was made by Dr. Maddox to **approve** the application for reinstatement.

K.W.K., DVM: The Board reviewed an application for licensure submitted by K.W.K. A **recommendation** was made by Dr. Maddox to **deny** licensure.

A motion was made by Dr. Brett to **approve** the above recommendations regarding applications. The motion was seconded by Dr. Bateman and was **approved** by the Board.

Leslie Hart, DVM: The Board reviewed a letter from Dr. Leslie Hart regarding an animal shelter's spay and neuter practices as informational only.

Allene M. Phillips, DVM: The Board reviewed a letter from Dr. Allene Phillips regarding an animal shelter's spay and neuter practices as informational only.

REPORTS:

Ken Woods, Enforcement

? Reported on 1 case

Eugene Maddox, Cognizant Member

Reported on the following cases:

? Eddie Hudspeth Recommendation to accept Public Consent Order

	and fine.
? 07-03-01-00066	Recommendation to refer for Peer Review.
? 07-03-02-00032	Recommendation to close the case with a letter of concern.
? 07-03-02-00033	Recommendation to close the case with a letter of concern.
? 07-03-02-00059	Recommendation to close the case.
? VET030012	Recommendation to close the case.
? VET030052	Recommendation to close the case.
? Petropolis/ Amanda Rodriguez	Recommendation to accept Voluntary Cease & Desist Order for unlicensed practice.
? VET030064	Recommendation to close the case.
? Billie Ann Boyd	Recommendation to accept the Public Consent Order and fine to close four cases.
? VET030070	Recommendation to close the case with a letter of concern.
? VET030072	Recommendation to close the case.
? Spencer LeFlure	Recommendation to accept the Cease & Desist Order for unlicensed practice.
? VET030075	Recommendation to close the case with a letter of concern.
? VET030076	Recommendation to close the case with a letter of concern.
? VET030078	Recommendation to close the case with a letter of concern.
? VET030079	Recommendation to close the case.
? VET030080	Recommendation to close the case.
? VET030081	Recommendation to close the case with a letter of concern.
? VET030082	Recommendation to close the case with a letter of concern.
? VET030083	Recommendation to close the case with a letter of concern.
? VET030085	Recommendation to close the case with a letter of concern.
? VET030086	Recommendation to close the case.
? VET030087	Recommendation to close the case.
? VET030089	Recommendation to close the case.
? VET030090	Recommendation to close the case.
? VET030091	Recommendation to close the case.

A motion was made by Dr. Hill to **accept** the recommendations made by Dr. Maddox regarding the above referenced cases. The motion was seconded by Dr. Bateman and was **approved** by the Board.

Dominick Crea, Board Attorney

- ? Reported on 6 cases
- ? Public Consent Order presented for license renewal

A motion was made by Dr. Brett to accept the Consent Order for Clayton Brinson. The motion was seconded by Dr. Bateman and was **approved** by the Board.

Anita Martin, Executive Director

- ? Provided a new Board member orientation that provided a review of the administrative process of the Board office.

The next Board meeting is scheduled for August 13, 2003 at 9:30 a.m.

There being no further business to come before the Board, Dr. Brett made a motion to **adjourn** the meeting. The motion was seconded by Dr. Hill and **approved** by the Board.

The meeting was adjourned at 5:00 P.M.

Minutes recorded by: Susan S. Hewett, Board Secretary

Minutes reviewed by: Anita O. Martin, Executive Director

Chairman of the Board: Eugene T. Maddox, DVM

Division Director: Mollie Fleeman

Minutes approved by the Board at the August 13, 2003 meeting.

State of Georgia

County of Bibb

**Affidavit Supporting Closing
Of Public Meeting**

The Georgia Open Meetings Act, O.C.G.A. 50-14-1 et seq., requires that all meetings of an entity covered by the statute must be open to the public unless there is some specific statutory exception which permits the closing of the meeting. If such a meeting is to be closed, the law requires that the presiding person execute a sworn affidavit stating that the subject matter of the meeting or the closed portion thereof was devoted to matters within the statutory exceptions and identifying those specific exceptions relied upon. O.C.G.A. 50-14-4(b). A copy of this affidavit must be filed with the minutes of the meeting in question:

Comes now, Eugene T. Maddox, DVM the presiding officer identified below and, before an official duly authorized to administer oaths, makes this affidavit in satisfaction of the statutory requirements outlined above.

1. I am the presiding officer of the **Georgia State Board of Veterinary Medicine.**
2. I am over the age of 18 and in all other aspects competent to make this sworn statement. I acknowledge that I am giving this statement under oath and penalty of perjury and that I have read the contents of this affidavit prior to signing it.
3. On **July 2, 2003**, this entity, which is subject to the Open Meetings Act, met. A majority of the quorum of the members present voted to close the meeting or a portion thereof for the following indicated reason(s). I hereby certify that during the closed portion of the meeting, only those subjects indicated below were discussed. I also certify that I have reviewed the exceptions provided under the Open Meetings Act that may permit the closing of a meeting and that, to the

best of my knowledge, the reasons I have described in detail below meet the requirements for closing this public meeting.

4. The legal authority for the closure of this meeting was:

43-1-2(k) and 43-1-19(h)(2)

5. The subject(s) discussed and the underlying facts supporting the closing of this meeting are:

Review disciplinary files, review applications & reinstatement applications

Further the affiant sayeth not.

Eugene T. Maddox, DVM
(Presiding Officer)

Sworn and subscribed before me,

This 2nd day of July, 2003.

Regina F. Thompson
Notary Public